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Letter dated 7 January 2016 from the Permanent Representative of Lithuania to the United Nations addressed to the President of the Security Council

I have the honour to transmit to you a letter from the representative of the National Coalition of Syrian Revolution and Opposition Forces dated 7 January 2016 (see annex).

I would be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Raimonda **Murmokaitė**
Ambassador
Permanent Representative

16-00229 (E) 110116

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Annex to the letter dated 7 January 2016 from the Permanent Representative of Lithuania to the United Nations addressed to the President of the Security Council

It is with great urgency that I draw your attention to the besieged town of Madaya, where 42,000 people are being starved into submission by Assad regime forces and Hezbollah militias.

Today, more than six months after the Assad regime lay siege on Madaya, the Office for the Coordination of Humanitarian Assistance announced that the Assad regime had belatedly approved the delivery of humanitarian assistance to Madaya. But promises to grant access are not enough. The regime has not even granted immediate access; they have said it will be allowed in four days. Under the best of circumstances, it will thus still take days before civilians in Madaya can access the food, water and medical care that they urgently require. In the meantime, according to doctors in the city, many more will die. And it remains entirely unclear whether United Nations agencies will have the full, unimpeded and unconditional access that they require to serve all those in need.

The starving civilians of Madaya cannot afford to wait any longer for the delivery of humanitarian aid, nor should they have to. Access to food, water and medical care is not a luxury that the Assad regime should be permitted to grant and withhold as it chooses. The denial of humanitarian assistance is a war crime and a breach of international law, including the Geneva Conventions and Security Council resolutions 2139 (2014), 2165 (2014), 2191 (2014) and 2258 (2015). Those resolutions are clear: starvation as a method of war — including through the besiegement of populated areas — violates international law and must be met with clear consequences. Failure to enforce such consequences only encourages parties who starve civilians into submission.

On behalf of the Syrian people, I therefore call on the Security Council to:

1. Ensure that United Nations agencies and humanitarians have immediate, unhindered, unconditional and sustained access to all areas of Madaya, as required by Security Council resolutions 2139 (2014), 2165 (2014), 2191 (2014) and 2258 (2015);

2. Monitor closely the ongoing developments in Madaya, and ensure that any attempt by the Syrian regime to deny or hinder access is met with clear consequences;

3. Demand the enforcement of Security Council resolutions 2139 (2014), 2165 (2014), 2191 (2014) and 2258 (2015), and instruct United Nations agencies to demand the delivery of aid to besieged and hard-to-reach areas, irrespective of Syrian regime consent;

4. Condemn in the strongest terms the Assad regime's deliberate starvation of innocent civilians in Madaya, and make clear that starvation is not a tool to be employed at the Assad regime's discretion.

If the Security Council is unable to take such steps because of Russian intransigence, Member States must take the necessary steps. Crucially, Member States should help the United Nations to fulfil its mandate to deliver aid irrespective of consent. More should be done to apply pressure on the regime, including through a renewed look at the feasibility of drone-delivered aid and air drops by those States currently conducting air operations against ISIS in Syria.

We profoundly regret the decision of the Office for the Coordination of Humanitarian Affairs to "welcome" the Assad regime's announcement that it would grant United Nations agencies access to Madaya. It wrongly implies that the provision of humanitarian access is optional, rather than a legal obligation. The use of starvation as a tool of war is a war crime, for which the Assad regime must be held accountable.

(*Signed*) Najib **Ghadbian**
Special Representative to the United Nations